

AMENDED

Serial No.

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

NEW PRIORITY DATE:

Date of filing in State Engineer's Office

~~NOV-27-1995~~

NOV 3 2006

Returned to applicant for correction.....

Corrected application filed.....

Map filed 4-19-85 existing pou under
48996The applicant PEGASUS GOLD CORPORATION601 West First Ave., Suite 1500 of Spokane

Street and No. or P.O. Box No.

City or Town

Washington 99204

State and Zip Code No.

hereby make^s application for permission to change thepoint of diversion, place of use and manner of use of a portion

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under.....

Permit 48998 & Certificate 13238

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

Identify right in Decree.

1. The source of water is Underground
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 0.10 cfs
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Mining, Milling & Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for Mining & Milling
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point NE1/4 SE1/4 of Section 34,
Describe as being within a 40-acre subdivision of public survey and by course and
T.32N., R.33E., M.D.B. & M. or at a point from which the SE corner
distance to a section corner. If on unsurveyed land, it should be stated.
of said Section 34 bears S07°51'37"E a distance of 2452.40 feet.
6. The existing permitted point of diversion is located within SE1/4NW1/4 (Lot 1)
If point of diversion is not changed, do not answer.
of Section 3, T.31N., R.33E., M.D.B. & M. or at a point from which
the SW corner of said Section 3 bears S31°W a distance of 3810
feet. Refer to existing POD map filed under Permit 48996.
within Sections 2,3,4,9,10,11,14,15,16,
7. Proposed place of use 37,38 & 39 all in T.31N, R.33E, M.D.B. & M. and a portion of the
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
S1/2 of Section 34, T.32N., R.33E, M.D.B. & M. Refer to place of
use map filed under 61203.
8. Existing place of use within Sections 2,3,4,9,10,11,14,15,16,37,38
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
& 39 all in T.31N, R.33E, M.D.B. & M. Refer to place of use map
manner of use of irrigation permit, describe acreage to be removed from irrigation.
filed under 48996.
9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day
10. Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) Drilled well, pump, storage
State manner in which water is to be diverted, i.e. diversion structure,
tank(s) and pipelines.
ditches, pipes and flumes, or drilled well, etc.
12. Estimated cost of works \$ 250,000.00
13. Estimated time required to construct works one (1) year.

five (5) years.

14. Estimated time required to complete the application of water to beneficial use.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Water will be used to service domestic and fire protection

requirements of office buildings, truck shop, warehouse and

equipment maintenance shop. This application was preceded by an

identical temporary application which was assigned serial number

61695T.

By s/ Clare N Mahannah
Clare N. Mahannah, P.E.

Water Research & Development, Inc.

P.O. Box 9066

Reno, Nevada 89507-9066

(702) 747-1100

Compared jp/gkl cl/cmg

Protested.....

APPROVAL

OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 48998, Certificate 12328 is issued subject to the terms and conditions imposed in said Permit 48998, Certificate 12328 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 48997, Certificate 13237; 48998, Certificate 13238; 48999, Certificate 13239; 49931, Certificate 13240; 53342, Certificate 13245; 57096; 57097; 57098; 61203; 61204-T; 61643; 61644; 61707 and 61711-T shall not exceed 787.0 million gallons annually.

This permit is issued under the preferred use provisions of NRS Chapter 534.

The manner of use of water under this permit is by nature of its activity a temporary

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to

exceed 0.1 cubic feet per second, but not to exceed 23.59 million

gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before June 14, 1997

Proof of completion of work shall be filed before July 14, 1997

Application of water to beneficial use shall be made on or before June 14, 2000

Proof of the application of water to beneficial use shall be filed on or before July 14, 2000

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed MAR 18 1997

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my

Proof of beneficial use filed

office, this 16th day of May

Cultural map filed

A.D. 19 96

Certificate No. Issued

~~CANCELLED OCT 31 2006 BECAUSE OF
FAILURE OF APPLICANT TO COMPLY WITH THE
PROVISIONS OF PERMIT~~

R. Michael Turnipseed, P.E.
State Engineer

T. J. Taylor, P.E.
Can. Rescinded 1-31-07
STATE ENGINEER

(PERMIT TERMS CONTINUED)

use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records will be kept of the following: The volume of water pumped from each well, the volume of water consumptively used for mining and milling purposes projectwide and the amount of water used for reclamation purposes. These records will be submitted within 15 days after the end of each month. Please also submit the water level (static or pumping) of each permitted well with the pumping report.

With the issuance of this permit, Temporary Permit 61695-T is hereby expired.